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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/284,858	04/21/1999	ISAAC GEBRE-SELLASSIE	5741-01-EJF	2903
28880	7590	01/06/2006	EXAMINER	
WARNER-LAMBERT COMPANY 2800 PLYMOUTH RD ANN ARBOR, MI 48105			WEBMAN, EDWARD J	
			ART UNIT	PAPER NUMBER
			1616	

DATE MAILED: 01/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5, 10, 21, 22-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP 552708 ('708) in view of Olefsky et al.

'708 teaches a solid dispersion of a sparingly water-soluble drug made by mixing the drug and a water-soluble polymer at a temperature where neither is melted (abstract). Hydroxypropylcellulose is disclosed (page 3 line 5). Temperatures within 5-50 degrees of the lower of the two melting points are disclosed (page 3 lines 23-25). A range of drug to polymer of 1:0.5-1:10 is specified. Very high solubility and bioavailability is taught (page 2 line 53). Tablets are disclosed (page 3 line 33).

Olefsky et al teaches troglitazone (column 26 lines 57-59). Solid form preparations, including tablets, are disclosed (column 15 line 56).

It would have been obvious to one of ordinary skill to deliver the drug of Olefsky et al in the vehicle of '708 to achieve the beneficial effect of very high solubility and bioavailability.

As to the claimed temperature sufficient to soften the polymer, applicants disclose a temperature of 50-200 degrees Centigrade (page 6 line 26). Given that the melting point of troglitazone is 184-186 degrees Centigrade, it is argued that the temperature taught by '708 is within the range applicants disclose.

No claims allowed.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward J. Webman whose telephone number is 571-272-0633. The examiner can normally be reached on M-F from 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, S. Padmanabhan, can be reached on 571-272-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

Art Unit: 1616


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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).



EDWARD J. WEBMAN  
PRIMARY EXAMINER  
GROUP 1500